

GORLICK, KRAVITZ & LISTHAUS, P.C.
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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

X

MASON TENDERS DISTRICT COUNCIL :
WELFARE FUND, PENSION FUND, ANNUITY :
FUND, and TRAINING PROGRAM FUND, and :
JOHN J. VIRGA, in his fiduciary capacity as Director, :
Plaintiffs, :
: :
- against - :
: :
SHROID CONSTRUCTION INC. :
and MICHAEL MCGARRY, :
: :
Defendants. :
:

STATE OF NEW YORK)
)
COUNTY OF NEW YORK)

MICHAEL S. ADLER, being duly sworn, deposes and says:

On February 8, 2008, I served via first class mail, postage prepaid, a true and correct copy of the Honorable Denise L. Cote's February 4, 2008 signed Order to Show Cause, together with supporting papers and attachments, in the above-referenced action upon defendant SHROID CONSTRUCTION INC., pursuant to the Honorable Denise Cote U.S.D.J.'s instructions, at the following address:

Shroid Construction Inc.
46-10 11th Street
Long Island City, New York 11101

Robert J. Hall

Michael S. Adler

Sworn to before me this
8th day of February 2008

DENNIS E. TOREGGIANI
Notary Public, State of New York
No. 02TO6119910
Qualified in Kings County
Commission Expires December 6, 2008